



**Delaware Jockey's Health & Welfare Benefit Board  
Minutes of Regular Meeting Held On  
January 11, 2017**

The Delaware Jockey's Health & Welfare Benefit Board held a Regular Meeting on  
Wednesday, January 11, 2017 at 10:05 a.m., in the Conference Room 1,  
at 2320 South duPont Highway, Dover, Delaware 19901

**The following Board members were present:**

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| Edward J. Stegemeier, Chairman                              |
| W. Duncan Patterson, Jr., DTRC Chair, Ex-Officio Member     |
| Bessie Gruwell, DTHA Executive Director                     |
| Heriberto Rivera, Jr. Jockey's Guild                        |
| John E. Mooney, Delaware Park, Executive Director of Racing |
| Pedro Lizarzaburu, Retired Jockey, Board Member             |

**The following individuals also were present:**

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| John F. Wayne, DTRC Executive Director                    |
| Robert E. Colton, Delaware Jockey's Association, Director |
| Andrew G. Kerber, Esquire, Deputy Attorney General        |
| Molly Church, DTRC (recording minutes)                    |

**1. WELCOME AND CALL TO ORDER**

Chairman Stegemeier called the meeting to order at approximately 10:03 a.m.

**2. APPROVAL OF MINUTES**

Upon a motion duly made (Gruwell) and seconded (Rivera), the minutes from October 13, 2016 were approved.

Before moving on to Old Business, Chairman Stegemeier explained that he and Mr. Robert Colton have been in discussion about changes in healthcare costs, number of people in the plan, and the projection of a loss in 2017 and without changes, also in 2018. Chairman Stegemeier indicated that discussing these changes with the board was critical for today's meeting.

Mr. Colton began with the State of the Fund. The Projected 2017 Revenue Less Expenses is a deficit of \$66,522.00. The Projected 2017 Revenue Less Expenses with full participation is a deficit of \$206,864.00. In 2016, the Revenue Less Expenses was a deficit of \$13,570.00. The current membership as of January 11, 2017 is 37 jockeys- 21 active and 16 retired. There are currently 13 eligible non-participating jockeys-5 active and 8 retired. So far in 2017, no jockeys were added or dropped.

Mr. Colton presented a chart showing Delaware Park Jockeys Mounts from 2011-2016. In 2016, there were 5,217 mounts with 64.4 mounts per race day. Another chart listed 27 jockeys who have successfully reached eligibility as of November 1, 2016.

Mr. Colton then presented a proposal for eligibility changes for active members. Rule 2.1.1.1 currently states,

"If the jockey's Delaware Park mounts are less than 100 in a Delaware Park season, then 50% of that jockey's total mounts during the regular Delaware Park season must be at Delaware Park."

Rule 2.1.1.2 currently states,

"If the jockey's Delaware Park mounts are 100 or more in a Delaware Park season, the jockey is eligible for health insurance coverage, regardless of the amount of total mounts at other tracks."

Mr. Colton's proposal states,

"An active Delaware Jockey, who regularly rides in Delaware, is eligible for health insurance coverage under the fund, if the jockey had *seventy five* mounts in a Delaware Park season at Delaware Park."

Chairman Stegemeier asked Mr. Colton why the proposal isn't for 100 mounts instead of 75. Mr. Colton said that seventy five mounts gives the Fund the opportunity to cover more riders and that they are in the margin to adjust at a later time if needed. Mr. Colton indicated that with the proposed changes, the Fund would soon be back into fiscal responsibility.

Mr. Colton also proposed a change for eligibility for retired members.

(Rule 2.1.2.2) "...The Jockey rode a minimum of 100 mounts at Delaware Park during the regular Delaware Park Season for at least seven years."

Mr. Colton's proposal states,

(2.1.2) A Retired Delaware Jockey is eligible for health insurance coverage under the Fund if:

(2.1.2.1) The Jockey was receiving health insurance coverage as a retired jockey provided by the Delaware Jockeys' Health and Welfare Fund health insurance plan on December 31, 2016; or

(2.1.2.2) The Jockey rode a minimum of 100 mounts at Delaware Park during the regular Delaware Park season for at least *ten* years.

(2.1.2.3) The Jockey is not licensed as a Jockey in any racing jurisdiction.

Chairman Stegemeier also indicated that anyone who is currently in the plan is grandfathered in.

Mr. Mooney asked Mr. Colton about how many riders would be at Delaware Park for 10 years accomplishing 100 mounts a year. Chairman Stegemeier explained that that number may be hard to project, but it would be beneficial to the board to get these changes started now.

Mr. Colton also proposed that the plans become effective January 1<sup>st</sup> of that year and each participant gets 12 months of healthcare.

Mr. Colton proposed that when a participant reaches 65, this plan would become secondary and their primary insurance would then be Medicare or Medicaid (Rule 2.4)

Mr. Colton proposed a rule change for Rule 2.2.

Rule 2.2 currently states,

“A jockey and/or the jockey’s family who meets the eligibility requirements of either an active Delaware jockey, a retired Delaware jockey, or a disabled Delaware jockey’s family will be entitled to health coverage beginning on the first of the month after it can be determined the eligibility requirement has been met, and continuing until December 31<sup>st</sup> of the next calendar year.”

Mr. Colton’s proposal states,

“An active jockey, a retired jockey, or an eligible disabled Delaware jockey’s family will be entitled to health care coverage for one year beginning on the first day of the calendar year following the year eligibility requirements have been met.”

Mr. Mooney asked Mr. Kerber if Delaware could legally make Medicare and Medicaid the primary insurance for eligible participants over 65. Mr. Kerber indicated that they could.

Mr. Colton also proposed Rule 2.1.1.3, a waiver rule for eligibility.

The proposal states,

“An Active Jockey who did not ride the qualifying number of mounts during a Delaware Park season due to circumstances beyond the control of the jockey, may petition the board for eligibility. The board shall review the petition, and if the circumstances warrant, may grant eligibility.”

Mr. Colton gave the example of jockey Robert Paz, who was injured during training hours in July of 2016. Due to the injury, he was unable to ride for the rest of the 2016 meet at Delaware Park. Mr. Colton indicated that Mr. Paz is still covered under the plan in anticipation of these new changes.

Chairman Stegemeier and Mr. Colton also discussed the Damaged Safety Helmet & Vest Replacement. In the event of an accident in which the helmet or vest is damaged, jockeys would pay one third of the cost to replace it and the other two thirds would be divided between the Fund and broker per helmet or vest, and a \$200 maximum contribution if both are damaged. Any costs above \$300 per item of safety equipment would be paid for by the jockey. The maximum annual contribution for this program by the Fund would be \$1,500 with the broker contributing an equal amount.

Chairman Stegemeier then presented details about the Permanently Disabled Jockey Fund Contribution. At the October 2016 meeting the Board approved a three-year contribution of \$5,000 per year to PDJF beginning in 2016. The board also discussed involving more participation from the Delaware Jockeys with PDJF fundraising.

It was discussed in October 2016 that it should be mandatory for each jockey to donate \$1 for the Delaware Jockeys to donate \$1 per mount to PDJF.

The Delaware Jockey’s Association proposes that instead of mandating PDJF contributions from the jockeys, perhaps for every \$1 donation per mount, Delaware Park, the Delaware Thoroughbred Horsemen’s Association, and the Arabian Association would match it, turning a jockey’s \$1 donation into a \$5 donation. In the past all 4 entities have donated \$5,000 per year to PDJF. Over the last four Delaware racing meets, the average total jockey mounts per season was 4,991 mounts.

Mr. Colton then explained that The Fund’s broker has been changed from Bolton to Insurance of America.

Chairman Stegemeier asked the Board how they felt about the 75 mounts rule. The Board replied by saying it seemed fair, but relative to other jurisdictions, the 100 mount minimum was more in line. The Board commented that if a rider could not make the 100 mount minimum for the 81 day racing season in Delaware, then were they actually a professional jockey? The 100 mount rule was agreed to by the Board as being reasonable.

Chairman Stegemeier also asked how the Board felt about the rule stating that for all riders, eligibility will start at the first of the year preceding their eligibility. The board agreed that this seemed fair as well.

All board members also agreed that all retired members as of 2016 should be grandfathered and that Medicare and Medicaid would become primary insurance when the rider reached 65.

Mr. Colton proposed that jockeys who are eligible for insurance in other jurisdictions would have to use that jurisdiction's insurance as a primary. Mr. Kerber said that with this, there would always be an issue with deciding which jurisdictions should be primary and which should be secondary.

Mr. Wayne stated that perhaps it could be based on the number of mounts. If a jockey has more mounts in one jurisdiction than another, they should use that jurisdiction for their insurance. The Board agreed that this was a good idea.

Chairman Stegemeier then asked the Board's opinion on Rule 2.1.1.3, about how a jockey can petition the board for eligibility in the event of an accident where they are unable to finish their mounts for that year. The Board also agreed that this was fair.

Mr. Colton indicated that there is currently a box to check on the Jockey's form that gives them the option to donate \$1 per mount to the PDJF. Ms. Gruwell expressed that maybe the check box should also indicate the contribution match from Delaware Park, the DTHA, and the Arabian Alliance as an incentive for the jockeys to donate their contribution.

The Board also agreed upon the Damaged Safety Helmet and Vest plan as well.

Mr. Kerber explained that in order for these to become proposed rules, they can move forward with these plans at the next meeting.

**A. Counseling Service Agreement**

To be discussed at next meeting

**B. On-Track Injuries & Return to Work**

To be discussed at next meeting

**C. Eligibility**

To be discussed at next meeting

**NEW BUSINESS**

**A. 2017 Insurance Rates**

To be discussed at next meeting

**3. ADJOURNMENT**

Upon a motion duly made (Gruwell) and seconded (Rivera), the meeting was adjourned at approximately 11:09 AM.